

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-28 are pending. Claims 10-28 have been withdrawn without prejudice or disclaimer of subject matter. Claim 1, which is independent, is hereby amended. Support for this amendment can be found throughout the Specification as originally filed and specifically at paragraph [0147].

No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. SUPPORT FOR THIS AMENDMENT

Citations to Figures and Specification locations are provided. However, such citations are provided merely as examples and are not intended to limit the interpretation of the claims or to evidence or create any estoppel.

As an example, support of the amendment can be found at paragraph [0147] of the Specification, which is reproduced as follows:

[0147] The lead terminal **74** is constituted by, e.g., a first metal layer **74 a** consisting of first conductive metal containing any one kind or more of nickel, nickel alloy, iron, iron alloy, stainless steel, zinc and zinc alloy, and a second conductive metal layer **74 b** consisting of second conductive metal containing any one kind or more of copper, copper alloy, silver, silver alloy, gold, gold alloy, platinum, platinum alloy, aluminum, aluminum alloy, tungsten, tungsten alloy, beryllium, beryllium alloy, rhodium, and rhodium alloy. In concrete terms, the lead terminal **74** is laminated material, i.e., clad material in which metal foil consisting of first conductive metal and metal foil consisting of second conductive metal having conductivity caused to be higher than that of the first conductivity metal are pressurized while heating these conductive metals in the state where they are laminated so that opposite principal surfaces of these metal foils are press-fitted and are connected (bonded) to constitute the first metal layer **74 a** and the second metal layer **74 b**.

III. CLAIM FOR FOREIGN PRIORITY

Applicant submitted a claim for foreign priority and a certified copy of the priority documents on July 21, 2005. This Office Action failed to acknowledge the submitted claim of foreign priority and the submitted certified copy. Applicant respectfully requests an acknowledgement of the matter in the next Office Action.

IV. REJECTIONS UNDER 35 U.S.C. §102(b) AND §103(a)

Claims 1-3 and 5-9 were rejected under 35 U.S.C. §102(b) over Japanese Patent Application No. 2003-019569 to Kubota (hereinafter, merely "Kubota")

Claim 4 was rejected under 35 U.S.C. §103(a) over Kubota.

V. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

wherein the lead terminal is a laminated material having at least a first conductive layer of a first conductivity and a second conductive layer of a second conductivity. (Emphasis added)

As understood by Applicant, Kubota relates to a resistance welding method and battery pack.

Applicant submits that Kubota fails to disclose or render predictable the above identified features of claim 1. Specifically, nothing is found that discloses or renders predictable **“wherein the lead terminal is a laminated material having at least a first conductive layer of a first conductivity and a second conductive layer of a second conductivity,”** as recited in claim 1.

Therefore, Applicant submits that independent claim 1 is patentable.

As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicant respectfully requests reconsideration and withdrawal of the rejections.

VI. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicant respectfully requests reconsideration and withdrawal of the rejections.

As each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

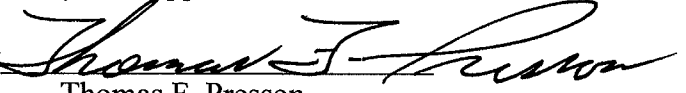
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800